

## **CITY OF OAK HILL**

### **CITY COMMISSION MEETING**

CITY COMMISSION CHAMBERS – CITY HALL  
234 South US Highway 1  
Oak Hill, FL 32759  
(386) 345-3522

January 12, 2015  
6:00PM  
**AGENDA**



#### **A. OPENING**

1. Invocation
2. Pledge of Allegiance
3. Roll Call

#### **Roll Call.**

**Present:** Mayor Gibson, Vice Mayor Bracy, Commissioner Livingston, Commissioner Bittle, Commissioner Hyatt.

#### **B. PRESENTATIONS – Mayor's City Address**

The Mayor recapped the accomplishments completed in 2014; maintaining the property tax rate, adopting the Comprehensive Plan, completing the Public Works Building, installing fire hydrants in Indian Harbor Estates and other important accomplishments. He went on to state the City needs to look to the future and begin to attract businesses to alleviate the burden on property owners.

#### **C. CITY ADMINISTRATION REPORTS**

1. Review of the Bills and Paid Interim Bills for January 12, 2015

**No comment**

#### **D. CITY ATTORNEY NON AGENDA ITEMS - None**

#### **E. VOLUSIA COUNTY SHERIFF ITEMS - None**

#### **F. CITY PLANNER ITEMS**

1. Animal Regulations Amendments

Helen explained the Commission directed her to review the land development code and restricting the number of animals in certain zonings. She went on to suggest the following:

1. **Section 24-40 – Definitions:** Definitions were added to clarify existing language and uses;
2. **Section 24-41 – Special Exceptions – Kennels:** language was added to include 'domesticated animals' for consistency with the current definition and the definition was expanded to include animal rescue facilities; and
3. **Article II – Animal Control:**
  - a. **Section 8-19 – Definitions:** the definition of 'domesticated animal' was added to this section for consistency
  - b. **Section 8-41 – Limitation of the number of animals:** this section was added to clarify the number of animals permitted to be kept/owned by a resident.

After discussion the Commission directed the City Planner to revise the definitions to where dogs and cats are separated from the other animals such as gerbils, birds and hamsters.

#### **G. CONSENT AGENDA**

1. Approval of the following minutes: November 24, 2014 and December 8, 2014 Commission Meetings

**Motion:** Minutes, **Action:** Approve the November 24, 2014 and December 8, 2014 Commission Meeting minutes. **Moved by** Commissioner Livingston, **Seconded by** Commissioner Bittle. **Passed unanimously.**

#### **H. OLD BUSINESS**

1. Canaveral National Seashore General Management Plan – Update

The Mayor stated the City of Edgewater adopted a Resolution supporting Oak Hill in revising the Canaveral National Seashore General Management Plan and New Smyrna Beach will be hearing the subject their council agenda. He also requested Brevard County and Titusville be made aware of Oak Hill's protest.

Jane Andrews, 183 US Highway 1, she stated she has repeatedly discussed the struggle of clam lease owners and she suggested creating a Co-Op.

2. Code Enforcement Officer Contract

The City Administrator stated she had met with the prospective Code Enforcement Officer in regards to the terms of pay. After discussion the Commission agreed to pay the Code Enforcement Officer \$21 per hour.

**Motion:** Code Enforcement Contract

**Action:** Approve the contract with the rate of \$21 per hour and term ending September 30, 2016. **Moved by** Vice Mayor Bracy, **Seconded by** Commissioner Livingston. **Passed unanimously.**

3.

**ORDINANCE # 2014-09**

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED AT 485 WEST HALIFAX AVENUE TOGETHER WITH ADJOINING RIGHT-OF-WAYS WITHIN VOLUSIA COUNTY, CONTIGUOUS TO THE CITY OF OAK HILL; REDEFINING BOUNDARIES OF THE CITY OF OAK HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The City Administrator Read the Ordinance into record, by heading only.

**Motion:** Ordinance 2014-09, **Action:** Approve, **Moved by** Vice Mayor Bracy, **Seconded by** Commissioner Hyatt. **Passed unanimously.**

3.

**ORDINANCE #2014-10**

AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING ITS FUTURE LAND USE, BY CHANGING APPROXIMATELY .36 ACRES LOCATED ON THE EAST SIDE OF BEEHIVE DRIVE FROM, VOLUSIA COUNTY URBAN MEDIUM INTENSITY TO CITY OF OAK HILL MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

The City Administrator Read the Ordinance into record, by heading only.

**Motion:** Ordinance 2014-10, **Action:** Approve, **Moved by** Vice Mayor Bracy, **Seconded by** Commissioner Livingston. **Passed unanimously.**

**I. NEW BUSINESS**

1.

**ORDINANCE NO. 2015- 01**

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA AMENDING ARTICLE II.(RULES OF INTERPRETATION AND DEFINITIONS) SECTION 24-40 (DEFINITIONS); ARTICLE V. (ZONING: USE, DENSITY AND INTENSITY) SECTIONS 24-453(MH-1 MOBILE HOME SUBDIVISION CLASSIFICATION), 24-493 (EXCEPTIONS TO MINIMUM YARD OR LOT COVERAGE REQUIREMENTS), AND 24-501 (SPECIAL EXCEPTIONS) OF CHAPTER 24 (LAND DEVELOPMENT REGULATIONS) OF THE CITY OF OAK HILL CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

The Mayor closed the regular Commission meeting and opened the Public Hearing.

The City Administrator Read the Ordinance into record, by heading only.

Montye Beamer formally entered the January 9, 2015 revised memo. She went to explain the PLDRC merged the Volusia County zoning designation MH-5 with the City of Oak Hill zoning designation MH-1, as directed by the Commission. She outlined the changes that PLDRC had made.

Mrs. Beamer stated after MH-1 is amended she suggested the properties originally designated as MH-2 instead be designated as MH-1, as this designation better fits the properties.

**Motion:** Ordinance 2015-01 **Action:** Approve, **Moved by** Vice Mayor Bracy, **Seconded by** Commissioner Bittle. **Passed unanimously.**

2.

**ORDINANCE NO. 2015-02**

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS BY ADOPTING A NEW OFFICIAL ZONING MAP TO DESIGNATE THE ZONING DISTRICTS FOR PROPERTIES REZONED SINCE NOVEMBER, 1992, TO ADD CITY ZONING DISTRICTS CONSISTENT WITH COUNTY CLASSIFICATIONS FOR

PROPERTIES ANNEXED SINCE NOVEMBER, 1992, AND TO RESTATE THE ZONING DISTRICTS FOR THOSE PROPERTIES LOCATED IN THE CITY WHERE NO OFFICIAL ACTION OCCURRED SINCE NOVEMBER, 1992; PROVIDING FOR THE REPEAL OF THE EXISTING OFFICIAL ZONING MAP FOR THE CITY OF OAK HILL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

The City Administrator Read the Ordinance into record, by heading only.

Montye requested direction from the Commission in regards to the properties originally given the designation of MH-2. She went to explain the City's last zoning map that was adopted in 1993. She went on to the City attorney stated this zoning map is taking any properties that annexed since 1993 and you are modifying them in accordance with the City's zoning districts using the County zoning classifications to achieve a City classification that is most similar.

The Mayor questioned when the last zoning map was adopted.

Mrs. Beamer explained it was 1993.

The Mayor questioned the reasoning to repeal instated of replace.

Mrs. Beamer stated the old map can be used for historical purpose but the zoning map will replace it as the official map.

**Motion:** Ordinance 2015-02, **Action:** Approve, **Moved by** Vice Mayor Bracy, **Seconded by** Commissioner Hyatt. **Passed unanimously.**

Mrs. Beamer requested the Commission set a date for the next hearing and also direct her as to how they would like her to notify the property owners with MH-2 classification that MH-1 will better suit their property.

The Commission stated the next public hearing will be on January 26, 2015 and to notify the MH-2 property owners by mail.

### 3. **ORDINANCE NO. 2015-03**

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED AT 149 EAST ARIEL ROAD CONTIGUOUS TO THE CITY OF OAK HILL; REDEFINING BOUNDARIES OF THE CITY OF OAK HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The City Administrator Read the Ordinance into record, by heading only.

**Motion:** 2015-03, **Action:** Approve, **Moved by** Commissioner Bittle, **Seconded by** Commissioner Livingston. **Passed unanimously.**

The Mayor closed the Public Hearing and opened the Commission Meeting.

#### **J. CITY GOALS**

Annexations

The City Planner stated the ISBA is on hold due to an issue with Edgewater's ISBA.

Road Repair – Lazy Z Lane

The City Administrator stated waiting to speak to David Lee.

Water and Sewer

The Mayor stated he attended the Mayor's Roundtable and volunteered for the Water Quality Committee. He went to inform the Commission at the first meeting the County stated it is creating a plan and it would be coming in front of the County Council soon.

#### **K. BOARDS AND COMMITTEES**

EZDA (Enterprise Zone Development Agency)

Waterfront Committee

Donia Dewees stated she attended a function and Representative DeSantis was present. She went on to voice her protest against the Final Canaveral National Seashore's Management Plan to close the harvesting of clams, oysters and crabs by 2018.

Commissioner Livingston stated the City needs to create a coalition to protest.

PLDRC (Planning & Land Development Regulation Commission)

Parks and Recreational Advisory Board

#### **L. CITIZEN PARTICIPATION (NON AGENDA ITEMS)**

#### **M. COMMENTS AND CONCERNS FROM THE COMMISSIONERS**

The Mayor stated the City lost the citizens Mr. Bill Marcello, former commissioner and Bill Wood, former Oak Hill police officer.

The Mayor questioned the Commission on their thoughts on the City paying for Commission members attending Volusia League dinner meetings.

The Commission discussed the subject but did not make a decision.

Derwin Smothers stated Bert Fish has received a Letter of Intent from Florida Hospital and the Board is in the process of moving forward with the sale.

Commissioner Hyatt requested feral cats be placed on the next agenda.

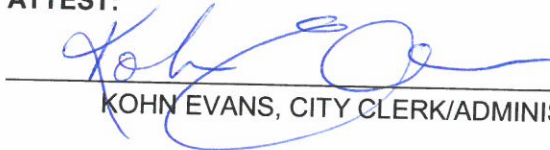
Commissioner Bittle stated the Animal Regulations does not address poisonous snakes and milking farms.

N. ADJOURNMENT – 7:55PM



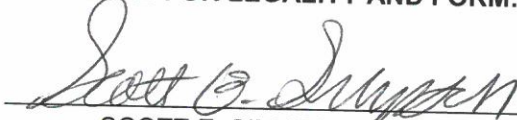
DOUGLAS GIBSON, MAYOR

ATTEST:



KOHN EVANS, CITY CLERK/ADMINISTRATOR

APPROVED FOR LEGALITY AND FORM:



SCOTT E. SIMPSON, CITY ATTORNEY

Note: In accordance with Resolution 2006-17, a three (3) minute time limitation per speaker will be imposed. A speaker may address the Commission for a maximum of three (3) minutes during the Public Participation portion of the meeting, and for a maximum of three (3) minutes during any specific Agenda topic. Pursuant to Florida Statute 166.041 (3) (A), if an individual decides to appeal any decision made with respect to any matter considered at a meeting or hearing, that individual will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made.